

**STATE OF DELAWARE  
DELAWARE HEALTH AND SOCIAL SERVICES  
DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES**

**HCB WAIVER STANDARDS  
FOR  
DAY HABILITATION, PREVOCATIONAL,  
AND  
SUPPORTED EMPLOYMENT SERVICES  
FOR  
INDIVIDUALS WITH MENTAL RETARDATION/  
DEVELOPMENTAL DISABILITIES**



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minimum programmatic conditions for adults in these programs. The purpose of these standards is to provide a sequence of expectations for day services and accountability to the Division of Developmental Disabilities Services (DDDS). Where applicable, established DDS procedures will be implemented to meet the individual standards.

A. **DAY HABILITATION SERVICES**

Day habilitation services are those services planned and designed to assist individuals with mental retardation/developmental disabilities acquire and/or maintain personal and social adjustment skills.

To be eligible for day habilitation services under the waiver, an individual must have demonstrated personal and/or social adjustment needs which can be acquired or maintained through participation in individualized habilitation programs.

Day habilitation services include, but are not limited to, the following types of activities:

1. physical development
2. basic communication
3. socialization
4. self-care skills
5. domestic skills
6. community skills
7. pre-vocational skills
8. community-inclusion activities

B. **PREVOCATIONAL SERVICES**

Prevocational services are those services planned and designed to assist individuals with mental retardation/developmental disabilities to acquire and maintain basic work and work-related skills.

To be eligible for prevocational services under the waiver, an individual must have demonstrated earning capacity of less than fifty percent of the federal minimum wage, as determined by the U.S. Department of Labor; the service must be an essential component of the individual's program plan as defined in 42 CFR 441, Subpart G; and work productivity must be a secondary or tertiary goal of the service, subordinate to the acquisition and retention of work and work-related skills.

Prevocational service sites are work activity centers operated by Contracted Providers and approved by the Division of Developmental Disabilities Services. A service site must be certified by the U.S. Department of Labor as a Work Activity Center as defined in Section 14 © of the Fair Labor Standards Act. Any compensable work engaged in by an individual must be a subordinate part of habilitation services. Prevocational services include the following types of activities:

1. Training the individual to follow directions, adapt to work routines, and carry out assigned duties to the maximum extent possible;
2. Assisting the individual to acquire appropriate attitudes and work habits, including instruction in socially appropriate behaviors on and off the work site;
3. Assisting the individual to adjust to the productive and social demands of the workplace;
4. Familiarizing the individual with work production and performance expectations;

- of residence and work activity center when other forms of transportation are unavailable or inaccessible;
- 6. Providing mobility training, including the use of public transportation systems; and
- 7. Training and instructing individuals in the appropriate use of work-related facilities, e.g., rest rooms, cafeteria/lunch rooms, and break areas.

C. **SUPPORTED EMPLOYMENT SERVICES**

Supported employment services are those services required to enable individuals to engage in paid work in a variety of work settings in which persons without disabilities are employed. The services are especially designed for individuals having severe impediments to employment due to the nature and complexity of their disabilities, regardless of age or vocational potential. The services are designed to assist individuals for whom competitive employment at or above the minimum wage is unlikely, and the need for ongoing post-employment support is necessary for the individual to perform in a work-place.

Supported employment services encompass the following types of activities to assist eligible individuals access and maintain employment;

1. Individualized assessment and planning;
2. Individual and/or group counseling;
3. Individualized job development and placement services that result in an appropriate job-match for the individual and his or her employer;
4. On-the-job training in work and work-related skills required to perform a job;
5. Supervision and/or monitoring of the individual in the work-place. This component involves ongoing assessments and reassessments of work performance, progress, changing needs, and help to the individual to maintain employment;
6. Work site support that is intervention oriented and designed to enhance work performance, modify inappropriate behaviors, re-training as jobs change, ongoing counseling, and assistance to assure job retention;
7. Training in related skills essential to obtaining and maintaining employment, e.g., the effective use of community resources, break or lunch rooms, rest rooms, transportation systems, mobility training and changing jobs, etc.
8. Transportation between the individual's place of residence and the workplace when other forms of transportation are unavailable or inaccessible; and
9. Adaptive equipment necessary to obtain and retain employment. The equipment may include special devices needed to grasp or hold objects, stand unassisted, communication boards for non-verbal clients, trays on wheelchairs to assist in sorting objects, or other devices that may be necessary to assist individuals to overcome handicaps and perform tasks.

## **DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES**

### **HOME AND COMMUNITY BASED WAIVER DAY PROGRAM STANDARDS**

#### **1. ACCESSIBILITY**

- 1.1 Day Service Programs shall be accessible to community resources and activities.
- 1.2 Day Service Programs shall be accessible to individuals with multiple disabilities.
- 1.3 The physical plant shall be adequate in size and design to promote efficiency and flexibility in operations, and shall be equipped to meet established standards for all professional, industrial, or general services it provides as applicable to state, local, and federal regulations.
- 1.4 There shall be at least one telephone at the site and emergency transportation available during the hours of operation of the Day Service Program.

#### **2. SAFETY AND SANITATION**

##### **GENERAL SAFETY**

- 2.1 The size and design of the physical plant and the equipment shall reflect appropriate professional and legal requirements for safe and efficient operations as applicable to state, local, and federal regulations.
- 2.2 There shall be sufficient heating, ventilation and light to provide a comfortable atmosphere.
- 2.3 Stairways shall have adequate lighting and handrails for safety.
  - a. Non-skid surfaces shall be used when slippery surfaces present a hazard.
- 2.4 All stairways and hallways shall be kept free and clear of obstructions at all times
- 2.5 Floors, walls, ceiling, and other surfaces shall be kept clean and in good repair.
  - a. Floor surfaces shall not be slippery.  
If rugs are used, they should be free of such hazards as curled edges, rips, or potential for slipping.
- 2.6 The exterior of the site shall be free from hazards as well as the accumulation of waste materials, obsolete and unnecessary articles, tin cans, rubbish and other litter.
- 2.7 Telephone numbers for ambulance and fire service, and the nearest police and poison control centers shall be readily available.
- 2.8 All vehicles used to transport individuals shall comply with applicable safety and licensing regulations established by the Delaware Department of Motor Vehicles.
  - a. This shall include liability insurance as dictated by Delaware Law.There shall be adequate first aid supplies and fire suppression equipment in vehicles.
- 2.9 Drivers of vehicles used to transport clients shall have a valid driver's license.
- 2.10 Day Service Programs emergency procedures shall include provisions for dealing with such emergencies as bomb threats, power failures, and natural disasters.

**FIRE SAFETY**

- 2.11 The physical plant of the Day Service Program shall be in compliance with all local and State of Delaware fire codes.
- 2.12 The physical plant shall have a written posted evacuation plan with specific responsibilities of individuals identified in case of fire and/or other emergencies.
  - a. Evacuation routing charts shall be displayed throughout the facility at principal points of passage. Evacuation exits shall be properly marked.
  - b. Details of fire emergency plans shall be in written form, and shall be available and communicated to all staff.
  - c. Individuals and staff shall be trained in executing the evacuation plan (with and without alarms) and, when applicable, in the use and operation of fire extinguishers.
- 2.13 Fire drills shall be held a minimum of four (4) times a year (quarterly) and dates and times of such drills shall be recorded and available to DDDS upon request.

**SANITATION AND HEALTH**

- 2.14 The day service site shall be easily drained, suitable for the disposal of sewage and furnish a potable water supply.
- 2.15 The water systems shall be designed to supply adequate hot and cold water under pressure, at all times.
- 2.16 The plumbing shall meet the requirements of all municipal, county, and state codes. Where there are not municipal or county codes, the provisions of the State's Sanitary Plumbing Code shall prevail.
- 2.17 All restrooms shall provide privacy and shall be accessible for individuals with multiple disabilities.
- 2.18 There shall be at least one (1) sanitary trash or garbage receptacle.
- 2.19 All windows that open to the outside shall have screens.

**3. STAFF QUALIFICATIONS**

- 3.1 Day Service Program staff shall demonstrate an understanding of the needs and characteristics of persons with mental retardation/developmental disabilities through appropriate academic and programmatic accomplishments.
  - a. Program administrators shall have a degree in the human service area and/or experience with persons with mental retardation/development disabilities.
  - b. All Day Service Staff shall be in compliance with DDDS Training Policy.
- 3.2 All Day Service Program staff shall be in such physical and mental health as to not adversely affect the health, safety or personal welfare of the individuals served.
- 3.3 Day Service Program staff shall be thoroughly familiar with their assigned duties and responsibilities and duties shall be made available to each staff member.

**4. MEDICAL AND HEALTH CARE****GENERAL MEDICAL CARE**

- 4.1 Day Service staff shall be responsible for knowledge of medical (medications), dietary needs, and illness and injury.
  - a. Know medications and report side effect to appropriate contact person
  - Know individual's dietary needs and report variances from prescribed diet to appropriate contact person.

**EMERGENCY MEDICAL CARE**

- 4.2 Day Service staff shall ensure emergency medical treatment in the event of a medical emergency with an individual receiving services.
- 4.3 The Day Service Program shall provide and/or arrange transportation for the individual for emergency medical care.

#### PERSONAL HYGIENE

- 4.4 Programs in the individual's personal plan shall assist the individual in maintaining a culturally normative level of personal hygiene.

#### MEDICATION

- 4.5 Individuals receiving medication shall be trained/assisted to take their own medication. The assigned Nurse Consultant and ID Team shall determine the type of training/assistance the individuals needs to take their own medication. A description of needed training/assistance shall be included in the individual's personal plan.
- 4.6 Trained Day Service staff shall supervise the assistance with medication(s) exactly as prescribed and assure that the medication is taken provided that the medication is in the original container, properly labeled. A record of all medication taken while at the Day Service Program shall be maintained.
- 4.7 Medication errors shall be immediately reported by Day Service staff to the appropriate contact person.
- 4.8 Injectable medication shall not be administered by non-licensed personnel.

#### 5. DAY SERVICE PERFORMANCE EXPECTATIONS

- 5.1 Day Services will have performance/outcome measures stipulated for each program (i.e., QA indices).
- 5.2 Individuals shall participate in activities or work that match their interest and abilities.
- 5.3 Day Services shall use least restrictive alternatives that are consistent with the needs of the individual and shall operate in accordance with the principals of person-centered service delivery.
- 5.4 Day Service program staff shall record and report the progress of individuals per their plans (according to established DDDS procedures).
- 5.5 Day Service program staff shall comply with the DDDS Behavior Support Policy.
- 5.6 Day Services shall provide programming per the following table:

<u>Service</u>	<u>Daily Program Hours</u>
DAY HABILITATION	5.5
PREVOCATIONAL	5.5
SUPPORTED EMPLOYMENT	based on Individual need

#### 6. INDIVIDUAL RIGHTS

- 6.1 The Day Service Program shall maintain a copy of the DDDS Client's Rights at the site and shall ensure that violation of individual's rights are reported per DDDS policy.

#### 7. INDIVIDUAL RECORD

- 7.1 A personal plan shall be maintained by the Day Program in accordance with DDDS "Client-Oriented Record (COR)" and/or appropriate policy concerning the progress of the individual, as well as appropriate documentation for all the individual's activities.

## CONTRACTUAL ISSUES

DDDS may contract with other agencies to obtain services not available through the Day Service Program as indicated by individual needs in the plan. In such case, the DDDS shall enter into a written contractual agreement prior to the onset of services.

### Change in status of Contract

- a. DDDS may change the status of a contract in the event the contracting agency shall be found to be violating the laws of the State of Delaware or whenever the physical conditions or programs fall below the standards established in/through the contract.
- b.

### Change in Placement of the Individual

- a. Individuals placed by the DDDS with the contracting agency may be changed only as a consequence of the needs of the individual as identified in his/her plan and/or assessment. This might include, but is not limited to the following reasons:
  1. Determination that the contracting agency is unable to meet physical, vocational, emotional or behavioral needs of the individual.
  2. Determination that needs of the individual can best be met in another Day Service Program, or an alternate program.
  3. Determination that the individual chooses a change in placement.
  4. Determination that excessive adjustment problems exist that cannot be resolved after all attempts have been made to stabilize the placement.

### Probationary Status

- a. DDDS may place the contractor on probationary status when deficiencies in the physical conditions or programs of the contracting agency have been identified.

### Waiver of Standards

- a. Specific standards may be waived under certain conditions.
  1. Strict enforcement of the standard would result in unreasonable hardship on the contracting agency.
  2. The waiver is in accordance with the particular needs of the individual as identified in the plan.
- b. A waiver must not adversely affect the health, safety, welfare or rights of an individual.
- c. A waiver must be requested of DDDS in writing by the contracting agency with substantial detail justifying the request.
- d. DDDS has the final authority on acceptance or rejection of a waiver request.